

Meeting of 2005-5-24 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
MAY 24, 2005 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor John P. Purcell, Jr. Also Present:
Presiding Larry Mitchell, City Manager
 John Vincent, City Attorney
 Traci Hushbeck, City Clerk
 Col. Keith Herring, Fort Sill Liaison

Mayor Purcell called the meeting to order at 6:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor John Dunaway, Abundant Life Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Bill Shoemate, Ward One
Rex Givens, Ward Two
 Janice Drewry, Ward Three
 Keith Jackson, Ward Four
 Robert Shanklin, Ward Five
Jeffrey Patton, Ward Six
 Stanley Haywood, Ward Seven
 Randy Warren, Ward Eight

ABSENT: None

PRESENTATION OF EMPLOYEE OF THE MONTH AWARD TO BILL HERNDON, BUILDING MAINTENANCE WORKER III, PARKS & RECREATION DEPARTMENT.

Kim Shahan, Parks & Recreation Director, introduced Bill Herndon who started working for the City of Lawton in June 2000 and was promoted in January 2002 to a full time position of Building Construction Specialist. His supervisor states that Bill s greatest asset is his willingness to serve and his equipment operator skills. Shahan praised his quality of work. Mayor Purcell presented a plaque, certificate of honor, two days of nonchargable leave, script money from Chamber merchants and a Mayor s Do What s Right coin.

Presentation of Proclamation for Home Ownership Month

AUDIENCE PARTICIPATION:

Dr. Rosemary Bellino, 21 NW 38th, presented a new No Litter sign and reported that 40 of these signs will be placed all over the city. The signs are free and will give notice that there will be no tolerance of littering in our city.

Mayor Purcell stated that Dr. Bellino has been working on this project for several years and she continues to be an example to everyone in the community. Her efforts to clean up the city are being realized.

Citizen who did not give name, stated he lives on 38th Street by the construction. There were some men working on the roof of his apartment complex who said they were putting airplane sensor equipment on the complex to detect C-5 aircraft coming in to Fort Sill. He called the Lawton Police Department to report suspicious behavior and was told they could do nothing without a search warrant. He was upset that they would not look into the matter.

Bill Wallace, 1507 SW 7th, apologized for his tone of voice at the last Council meeting.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL MEETING OF APRIL 26, 2005.

MOVED by Shanklin, SECOND by Patton to approve the Minutes of April 26, 2005. AYE: Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens. NAY: None. MOTION CARRIED.

CONSENT AGENDA: Mayor Purcell asked that Item 14 be stricken and Patton requested separate consideration for Item 1.

MOVED by Shanklin, SECOND by Warren, to approve the Consent Agenda items as recommended with the exception of Items 1 and 14. AYE: Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens, Drewry. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval and consider passage of any resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Kim and Gary Graham in the amount of \$464.00, Mary V. Biazzo in the amount of \$8,004.39, Barbara Sands in the amount of \$11,291.47, Ezra and Adriene Davis in the amount of \$3,314.11, Cleveland Davis in the amount of \$225.00. Exhibits: Legal Opinions/Recommendations; Resolution No. 05-____, Resolution No. 05-____, Resolution No. 05-____, Resolution No. 05-____.

Patton stated that Mrs. Sands is a constituent who had a sewer back up. When the incident occurred, he went out to her home. The City has recommended paying a reduced amount and the reason is that there were personal property items that were damaged, but Mrs. Sands had discarded because she was unaware that she needed to keep them. Patton stated he would like to verify that he was at her home that evening and saw those items.

Vincent questioned if this item could be tabled so that he and Mr. Patton can go over the claim file.

Patton stated that he feels that he is more qualified since he does this for a living.

Vincent stated that staff had a problem with the disposal of a one-year-old Kenmore refrigerator. He questioned why it would have been disposed of, it is repairable. Those were the kinds of questions that staff could not get an answer from the owner.

Patton stated that if sewage got underneath and in the coil, no one would want to keep that in the house.

Vincent stated staff only found three walls that needed the sheet rock replaced.

Patton stated he walked through the house to see what areas had been damaged and when the investigators went out they did not take a picture of the sunroom which was damaged.

Vincent stated there is a picture of that room in the file.

Shoemate stated that Mrs. Sands is a family friend and there was one room that was not included in the inspection.

Vincent stated that they could reinspect.

MOVED by Haywood to table this item to the next meeting.

SUBSTITUTE MOTION by Patton, SECOND by Warren, to approve the payment of a claim to Barbara Sands in the amount of \$16,858.60. AYE: Shoemate, Givens, Drewry, Jackson, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED.

Shanklin questioned if any insurance will be collected.

Patton stated that insurance would not pay on this claim. He suggested that they should make a condition when they pay these claims that a pop up valve is placed on the clean out.

MOVED by Patton, SECOND by Warren, to approve the remainder of the claims in the amounts indicated. AYE: Givens, Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate. NAY: None. MOTION CARRIED.

2. Consider the following damage claims recommended for approval and consider passage of any resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Donovan and Sherie Woodburn in the amount of \$4,995.80. Exhibits: Legal Opinions/Recommendations; Resolution No. 05-____.

3. Consider the following damage claims recommended for denial: Dennis Edwards in the amount of \$10,000.00, Brandy Wahkinney and Charles Sakote in the amount of \$10,000.00, James and Modean Eckart in the amount of \$458.60. Exhibits: Legal Opinions/Recommendations.

4. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers compensation claim of Thomas C. Melton. Exhibits: Resolution No. 05-____.

5. Consider approval of the Retainer Agreement for Professional Services with Misty Sissom, to work as a Legal Assistant Intern in the City Attorney's office, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Agreement.

6. Consider approving an Outside Water Sales Contract with Betty Watts, and authorize the Mayor and City Clerk to execute the contract. Exhibits: Location Map, Contract is on file in the City Clerk's

Office.

7. Consider a request from the Comanche County Commissioners to waive City landfill fees for the jail renovation project. Exhibits: Letter from County Commissioner Ron Kirby dated 5/11/05.

8. Consider setting the minimum bid price for six (6) agriculture lease tracts at Lake Ellsworth, Tract E-5, 9, 11, 13, 15, and 16, which will be sent to public auction on June 15, 2005.

Exhibits: Location maps

9. Consider approving recommendation to name a side road at the Lake Ellsworth dam area in honor of a former City of Lawton employee, Randell Hale Drive. Exhibits: Letter from the family of Randell Hale.

10. Consider accepting the McMahon Park In-Line Hockey Rink Project #2002-7 as constructed by RCJ Construction, Inc. and placing the Maintenance Bond into effect. Exhibits: None

11. Consider approving the Community Partner Memorandum of Agreement between the City of Lawton and the Federal Emergency Management Agency (FEMA) for the City of Lawton to coordinate with FEMA during the Digital Flood Insurance update and to authorize the City Manager to execute. Exhibits: FEMA Community Partner Memorandum of Agreement.

12. Consider adopting a street light resolution to authorize the removal of five street lights on Flower Mound Road from Surrey Lane to Gore Boulevard, the removal of one street light at SW 13th and Georgia and the removal of one street light at SW 13th and Garfield. Consider the installation of four street lights on Flower Mound Road from Surrey Lane to Gore Boulevard, the installation of one street light at SW 13th and Garfield. Exhibits: Street Light Resolution No. 434.

13. Consider approving a Memorandum of Understanding with the Oklahoma Department of Homeland Security Office of Domestic Preparedness, which will direct and assign OKOHS the right to use the City of Lawton's Award Funding to pay directly to the vendor for the Response Vehicle previously awarded. Exhibits: Oklahoma Office of Homeland Security Regional Response Vehicle MOU.

14. Consider approving a request to enter into a memorandum of understanding between the City of Lawton and the Oklahoma Office of Homeland Security for the purpose of assigning the City of Lawton's share of 2004 Homeland Security Grant Program for the Statewide Criminal Justice Portal and Information Sharing Program in accordance with guidelines to the Oklahoma State Bureau of Investigation. Exhibits: Copy of Memorandum of Understanding, Letter to Chief of Police from OKOHS.

This item was stricken.

15. Consider accepting the improvements, escrow agreement in lieu of completed improvements, easements, and maintenance bond for a street named St. James Place located approximately one-half mile west of NW 82nd Street on the south side of Cache Road. Exhibits: Location map, List of Incomplete Improvements. The Easements, Escrow Agreement, and Maintenance Bond are on file in the City Clerk's Office.

16. Consider accepting a permanent easement from the Comanche County Commissioners that is needed for the School House Slough Restroom, Lift Station and Force Main Project 2001-17, and authorize the Mayor and City Clerk to execute the easement. Exhibits: Easement is on file in the City Clerk's office.

17. Consider approving the Proposed Cooperative Program and Memorandum Agreement between the Oklahoma Water Resources Board, the U.S. Geological Survey and the City of Lawton and authorizing the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Cooperative Program and Memorandum Agreement (on file with the City Clerk).

18. Consider approving the following contract extensions: Pre-Sort Mailing (CL04-063) with Southwest Mailing Service City Clerk, Employee Physicals/Drug Screen Testing (RFPCL03-066) with The Center for Occupational Health Human Resources, City of Lawton Audit (RFPCL04-066) with John M Arledge and Associates, PC Finance Administration and Mowing and Litter Contract (CL03-061) with Service One Janitorial of Lawton and Wayne W Harris Parks and Grounds. Exhibits: None

19. Consider approval of payroll for the periods of May 9 to May 22, 2005. Exhibits: None.

BUSINESS ITEMS:

20. Hold a public hearing to consider the Consolidated One-Year Action Plan for FFY 2005, receive input from citizens, and provide direction for development of the final plan. If appropriate, pass a resolution authorizing the Mayor and City Clerk to execute the documents to submit the plan to the U.S. Department of Housing and Urban Development (HUD), to execute the Grant Agreement upon receipt from HUD, and to execute all related documents to include subrecipient agreements required by HUD to implement the CDBG and HOME programs. Exhibits: Resolution No. 05-____. A copy of the Consolidated Plan for FFY 2005-2009 and the Consolidated One-Year Action Plan for FFY 2005 are on file in the City Clerk's Office.

Tom Aplin, Housing and Community Development Division, stated this item will continue the consideration of the Consolidated One Year Action Plan for fiscal year 2005 as well as the five-year action plan for fiscal year 2005-2009. He stated that a couple of questions were left unanswered during the previous meeting. He distributed a list of housing funds that are in the pipeline today that have not been expended but are committed for the housing programs.

Mayor Purcell asked if there were any questions before he opened the public hearing.

Givens questioned when HUD would release the funds under FY 2004.

Aplin stated it should be around 20 days or so. He stated their office has been very busy and he has been late getting the environmental reviews. It is a very complex and time consuming process. This year they are much later than they should be. Most of those funds are already committed.

PUBLIC HEARING OPENED.

Alece Newell, 7224 Willow Creek Drive, stated she is asking for support for the Great Plains Volunteer Health Care Clinic. She serves as a volunteer pharmacist along with others. She thanked the City for their support in the past. They have been able to serve approximately 450 people in the past year with medicine and medical care. She sees 35-45 people every other Thursday night to provide medication. A lot of the medication is donated by drug companies, but some of it needs to be purchased. They have purchased blood pressure and diabetes medication with previous grant monies. They provide a great service to the community. The facility is staffed by all volunteers. Many of those who have been served by the clinic, now volunteer at the clinic. She invited the Council to come by and visit the clinic. They meet on the first and third Thursday night of the month at 1502 I Avenue.

Chris Nervig, Mercy Housing, stated that she is in attendance to discuss Columbia Square apartments. She stated that Mr. Aplin distributed a memo outlining the process by which their \$50,000 application was recommended to the City Council. This allocation is for the partial funding of a fence. The bill will be in the \$65,000 \$70,000 range. The money will not only be used for points in their tax credit application, but will also be considered by HUD Washington in the market HUD restructuring of the project and is being considered as the community's involvement and support of the restructuring of the project which is vital to this community in keeping the 64 units of Section 8 housing.

Patton questioned how much was needed for the fence.

Ms. Nervig stated the bid they received a year ago for the fence was \$65,000.

Jackson stated in a television interview he heard the figure of \$14,000 was requested.

Ms. Nervig stated the interviewer specifically asked her what would be the absolute minimum amount. In the Oklahoma Housing Finance Agency tax credit allocations, her absolute bottom minimum is \$14,000 for points under community support. If she gets less than the \$50,000 she loses points in the leveraging section of the tax credits.

Jackson stated that does not mean they will lose the project.

Ms. Nervig stated that is correct, they would not lose the project.

Patton questioned if the \$85,000 that is set aside for public facility improvement can be used for other public services.

Mayor Purcell stated it can be used in other places, but cannot be used in public services.

Shanklin stated that in the interview he heard the figure of \$8,000. All they are doing is perpetuating a ghetto.

He does not understand the government even letting it carry on.

Terry Bryant, stated he manages rental property in Lawton including the HUD housing project, Tanglewood II apartments. He is also building two duplexes at 308 and 310 Ferris, which is next to Columbia Square apartments. He is concerned and feels that a fence is not a good idea. It is a bunker mentality that is presented as a crime fighting measure. If there is a crime problem, they need to take a look at the property manager. There are screening processes with HUD housing which include background checks. The primary responsibility in dealing with problem tenants is the management. Several HUD projects in town have little crime. The fence is not a good way to handle this problem. He suggested they look at what kinds of police and fire calls come to the property, and find out where the problems are. He also suggested that they be proactive with a good screening process. All this

information is available for the city to look at. The \$50,000 could be used over a two or three year period to monitor what is going on at the different HUD housing projects. Management needs to be held responsible.

Haywood stated that Goodwill Village has a fence around the property and they have no problems.

Mr. Bryan stated he just does not like fences. He can see keeping foot traffic from walking onto the property, but he does not believe that spending \$50,000 for a fence will solve the crime problem. He is investing in this area and is very concerned about what is going on in the neighborhood. Management needs to be held accountable.

Haywood stated that fences deter people from going inside the property. Criminals will be afraid of getting caught if they go inside.

Ms. Nervig stated that the Columbia Square onsite property manager is in attendance to answer any questions.

Shanklin stated he would like to see \$20,000 going towards the fence at Columbia Square and the remaining \$30,000 going back into the housing remodel program.

Givens questioned if the remaining \$30,000 could be placed in the Bridge Park project.

Shanklin stated he did not have a problem with that suggestion.

Jackson stated that every Council member agrees that the Columbia Square project needs to be done. All businesses in that area will benefit. He does believe that reducing the amount for the fence is justified and he would have reduced it to \$14,000, but will compromise on \$20,000.

MOVED by Shanklin, SECOND by Jackson to approve \$20,000 for the Columbia Square security fence project and the additional \$30,000 going towards the Bridge Park restoration project. AYE: Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens. NAY: None. MOTION CARRIED.

PUBLIC HEARING CLOSED.

Mayor Purcell questioned what the Council would like to do regarding public services.

Givens stated he would like to make the following recommendations: CAP \$33,868, GPIF \$18,000, Hospice \$15,000, Shelter Operations C. Carter Crain \$30,000, Teen Pregnancy Prevention \$35,000, Juvenile Crime Prevention \$15,000 and add the Back Pack Project with funding of \$5,000.

Jackson stated he would hate to see the Hospice program cut by that much. He would rather add \$5,000 to Hospice for a total of \$20,000 and cut the Teen Pregnancy program to \$30,000.

Givens stated that there were certain criteria and Hospice had a very low score. They shouldn't have gotten any money last year because they did not meet the criteria. They do not qualify for any funding.

Shanklin questioned if they do not qualify, why are they on the list?

Givens stated the City Council beat up staff last year, so they were added to the list. The Planning Commission even increased the amount recommended.

Mayor Purcell stated that Hospice is qualified to receive funding, but were not qualified under the scale that staff is using internally.

Shanklin stated that Hospice has a \$2 million budget, so they are not leaving them stranded.

MOVED by Givens, SECOND by Warren to approve the funding suggested by Council member Givens which totals \$151,868. AYE: Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens, Drewry. NAY: None. MOTION CARRIED.

MOVED by Givens, SECOND by Patton to approve Resolution No. 05-91 authorizing the Mayor and City Clerk to execute the documents to submit the plan to the U.S. Department of HUD, to execute the Grant Agreement upon receipt from HUD, and to execute all other documents, to include signing subrecipient agreements, required by HUD to implement the CDBG and HOME programs. AYE: Shanklin, Patton, Haywood, Warren, Shoemate, Givens, Drewry, Jackson. NAY: None. MOTION CARRIED.

21. Hold public hearings and adopt resolutions declaring the structures at: 8 NW 9th Street, 510 SW Park Street, 2013 NW 24th Street, 1418 NW Sheridan Boulevard (Voluntary) to be dilapidated public nuisances, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to

commence legal action in district court to abate each nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove each dilapidated structure, if necessary. Exhibits: Four Resolutions.

8 NW 9th Street: Melissa Laycock, Neighborhood Services Supervisor, presented photographs of the property. She stated the property is in poor condition and is unoccupied. There have been no utilities since September 2003.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Shanklin, SECOND by Drewry, to approve **Resolution No. 05-92** and declare the structure at 8 NW 9th Street to be dilapidated and a public nuisance. AYE: Patton, Haywood, Warren, Shoemate, Givens, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

510 SW Park Street: Laycock presented photographs of the property. She stated the property is in poor condition and is unoccupied. There have been no utilities since September 2002.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Haywood, SECOND by Shanklin, to approve **Resolution No. 05-93** and declare the structure at 510 SW Park Street to be dilapidated and a public nuisance. AYE: Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens. NAY: None. MOTION CARRIED.

2013-2015 NW 24th Street: Laycock presented photographs of the property which is a duplex that was previously brought to the City Council in June 2004. Not all the owners or mortgage holders were notified at that time. She stated the property is in poor condition and is unoccupied. There have been no utilities since November 1994.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Shoemate, SECOND by Haywood, to approve **Resolution No. 05-94** and declare the structure at 2013-2015 NW 24th Street to be dilapidated and a public nuisance. AYE: Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Givens, Drewry. NAY: None. MOTION CARRIED.

1418 NW Sheridan Boulevard: Laycock presented photographs of the property. She stated this is voluntary and the owner wishes to have the property declared dilapidated to obtain the reduced tipping fees. There have been no utilities since March 2005.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Shanklin, SECOND by Shoemate, to approve **Resolution No. 05-95** and declare the structure at 1418 NW Sheridan Boulevard to be dilapidated and a public nuisance. AYE: Shanklin, Patton, Haywood, Warren, Shoemate, Givens, Drewry, Jackson. NAY: None. MOTION CARRIED.

22. Consider an ordinance amending Section 2-3-1-301, Article 3-1, Chapter 2, Lawton City Code, 1995, pertaining to Lakes and Lands Commission board member appointments by amending the appointment procedure, providing for severability and effective date. Exhibits: Ordinance No. 05-__.

MOVED by Givens, SECOND by Patton, to approve **Ordinance No. 05-23**, waive the reading of the ordinance and read the title only. AYE: Patton, Haywood, Warren, Shoemate, Givens, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 05-23

An ordinance pertaining to the Lakes and Land Commission amending Section 2-3-1-301, Divisions 2-3-1, Article 2-3, Chapter 2, Lawton City Code, 1995, by permitting two of the commission members to reside outside the cities limits within Comanche County, providing for severability and an effective date.

23. Consider an ordinance amending, Section 19-1-111 B 9b, Article 19-1, Chapter 19, Lawton City Code, 1995, pertaining to adding regulation to govern primitive camping sites at the lakes by amending the ordinance to add and include primitive camping, providing for severability and effective date. Exhibits: Ordinance No. 05-__.

Kim Shahan, Parks and Recreation Director, stated in looking at the ordinance pertaining to camping regulations, there has never been an ordinance that states how many days someone can stay in a primitive camping area, which constitutes tent camping not in a sheltered area. They have had some instances in the past year where people have stayed for long periods of time. Staff is recommending this ordinance be in line with the preferred camping site areas which limit the camping season to 14 days.

Shoemate questioned how this will affect trailers.

Shahan said there are 14 and 21 day periods for trailers within this ordinance.

MOVED by Patton, SECOND by Drewry, to approve **Ordinance No. 05-24**, waive the reading of the ordinance and read the title only. AYE: Haywood, Warren, Shoemate, Givens, Drewry, Jackson, Patton. NAY: None. ABSENT: Shanklin. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 05-24

An ordinance pertaining to camping and boathouse regulations amending, Section 19-1-111, Article 19-1, Chapter 19, Lawton City Code, 1995, by limiting the number of days a camper may occupy a camp site in the primitive camping areas during a camping season, providing for severability and an effective date.

24. Consider approving an ordinance amending Sections 10-1-102, 10-1-105, 10-1-107 and 10-1-108 Lawton City Code, 1995, relating to definitions, by providing for a definition of a non-responsive vendor/contractor, amending the notice requirements, opening procedures and award procedures for bids, providing for severability and providing an effective date. Exhibits: Ordinance No. 05-__.

Mayor Purcell stated he brought this ordinance forward which says that if anyone within a period of time has liquidated damages or does not perform on a contract the next time they bid on a project within the next year will be declared non responsive. Their bid will not be opened, but will be returned. This especially applies to those contractors on street projects. It is really an inconvenience to citizens when the project that was suppose to take three months ends up taking nine months.

Patton questioned if twelve months is a long enough period that the contractor will be unable to bid on a project. He felt it should be a stiffer penalty, maybe two or three years.

Warren stated that a contractor could possibly still be working on a current project for at least a year on contracts they have already won.

Patton stated he would like to see the ordinance amended to state that a contractor will be suspended from his/her ability to bid on a City contract for a period of 36 months.

Vincent stated in section 6 under Definitions, he would amend the paragraph by removing everywhere it stated twelve months and stated that the city would suspend a endor s/contractor s ability to bid on City contracts for a period of thirty six months.

MOVED by Patton, SECOND by Givens, to approve **Ordinance No. 05-25** as amended on the floor, waive the reading of the ordinance and read the title only. AYE: Warren, Shoemate, Givens, Drewry, Jackson, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 05-25

An ordinance pertaining to finance and taxation amending sections 10-1-102, 10-1-105, 10-1-107 and 10-1-108, Article 10-1, Chapter 10, Lawton City Code, 1995, relating to definitions, notice requirements and award procedures for bids, providing for severability and declaring an effective date.

25. Consider approving a proposed sign matrix as recommended by the Mayor s Sign Committee, which outlines the proposed regulations for signs to be installed in the community. Exhibits: Matrix of proposed sign regulations (sent under separate cover), Definitions for proposed sign regulations (sent under separate cover), Chapter 15 proposed amendments (sent under separate cover).

Jackson commended the committee for their work but requested a little more time to look at the recommendations. He is in business and feels that he represents some of the business owners in the community. He requested that this item be tabled to the next City Council meeting.

Givens stated that the City Council is not being asked to approve any ordinance tonight. The is just a report from the committee. The committee is requesting a general opinion from the City Council so that they can start putting the information in writing. They do not want to spend hours reducing the matrix if the Council as a whole opposes restrictions on signs. He stated the whole idea started out to simplify what business owners may or may not do as far as signs are concerned. The committee has been working on this information for seven months. The committee was diverse with representatives from the City Council, Planning Commission, Chamber, automobile dealerships and two representatives from sign companies. Everyone on the committee is 100% on board with what is being presented.

Patton stated the committee represented a good cross section of the community and there was a lot of give and

take.

Givens stated this committee started with the Mayor's concern over political signs which they still have not addressed. This current matrix just sets out different zoning classifications and what kind of signs and size will be allowed. The recommendations are pretty liberal. This ordinance will not prohibit any business from having a proper amount of signage to show where they are and what they do. He stated the second task of the committee is to find a way to abate dilapidated signs. They are proposing that a public nuisance ordinance be amended to define abandoned and dilapidated signs. This would allow the City to take care of these signs if the owner refuses to take care of the situation. Staff does not have that ability at this time. Jackson questioned if there was presently a sign ordinance.

Givens stated there is one, but it does not deal with dilapidated signs or the huge billboards that are coming up all over the city.

Drewry commended the committee and feels this a great step in cleaning up Lawton.

Mitchell questioned if the committee has addressed the double decker billboards.

Givens stated yes.

Mayor Purcell questioned what they will do with those that are already installed. Will those be grandfathered in for a period of five years.

Givens stated the committee felt that the signs that were already up should stay up. That could be something the City Council could determine.

Mayor Purcell stated the committee needs to address political signs. He questioned if there would be a fine and who would be charged.

Debra Jones, Acting Planning Director, stated there are no limitations on the number of political signs as written. It does note that if a candidate fails to remove the signs after the election period, the owner of the property is responsible. At that point, charges will be filed in municipal court if the owner fails to remove the signs.

Mayor Purcell questioned why the city should spend their time and effort picking up campaign signs when there is absolutely no penalty for those who put them up. There needs to be some way to enforce this ordinance.

Patton stated that the consensus of the committee is that it is not fair to the candidate.

Givens stated that essentially the committee thought this was a hard issue to deal with, but they will meet again to look at some additional language.

Warren stated that there are two alternatives that other cities use. One is to prohibit campaign signs completely, and the other is that there has to be a person holding the sign.

Mayor Purcell stated that other cities have solved this problem and we should be able to research this issue.

Jackson stated that in the last couple of years people have been better about picking up campaign signs.

Mayor Purcell stated that he is mainly talking about signs from national elections.

Jackson suggested notification to the candidates.

Givens stated they would meet again to talk about the issue.

Jackson stated that signs are very expensive, and there are a lot of areas they need to look at before they place restrictions on this community.

Mayor Purcell stated they would look at this item at the next meeting

26. Discuss City of Lawton's utilization of A Child is Missing alert/awareness program and take appropriate action if necessary. Exhibits: None

Warren stated that A Child is Missing is a program that provides a community with the resources to locate a missing child when it looks as though there is no foul play. The police would have the ability to call this organization, which is located in Florida, and provide them with the information about the child. The organization uses software to dial approximately 1,000 homes per minute within a geographical area around the missing child's home, with a

simple message that the child is missing. There currently is an officer with the Lawton Police Department who is trained in this program and will be signed up with the organization. They also offer a sexual predator service when an individual registers with the Lawton Police Department as a sexual offender, that information is funneled to this organization which makes phone calls to the surrounding area. The program is an add on to what the state already requires. Currently in the software offered by the police, there is a spreadsheet with only the name and address. He would suggest that staff look into mapping software that allow an individual to go to the website and plug in an address which would show where the registered offenders live. This is something that will give all residents the information they need.

MOVED by Warren, SECOND by Shanklin, to direct staff to look into purchasing the appropriate software for the predator program. AYE: Patton, Haywood, Warren, Shoemate, Givens, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Mayor Purcell announced that Lawton has received an award from the National Association of Installation Developers. He thanked COL Herring and his staff for nominating Lawton.

Haywood suggested that staff send information on this award to the National League of Cities.

Mayor reported the formation of the Mayor s Strategic Planning Task Force composed of Councilmember Janice Drewry (Chair), Tony Pokorny, Barbara Moeller, Ed Peterson and Tom Rheinlander. The task force will look at what the city will look like in the next 25-30 years and how do we get there in terms of infrastructure. This task force will not require any staff time. He asked that the task force report to the City Council within the next nine to twelve months.

The Mayor and Council convened in executive session at 7:50 p.m. and reconvened in regular, open session at 7:53 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Juanita (Jane) P. Mireles, DC-2005-16, against the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None.

Vincent read the title of Item 44 shown above. He said the Council was briefed on the current status of the case.

MOVED by Shanklin, SECOND by Patton, to deny the claim. AYE: Shoemate, Givens, Drewry, Jackson, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 7:55 p.m. upon motion, second and roll call vote.

JOHN P. PURCELL, JR., MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK